DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT

2003 GYPSY MOTH SUPPRESSION PROJECT
Patuxent Research Refuge, Beltsville Agricultural Research Center, James J. Rowley Training Center, National Plant Materials Center, National Plant Germplasm and Biotechnology Laboratory, and Goddard Space Flight Center

I. INTRODUCTION

In 2003, the USDI FWS Patuxent Research Refuge (PRR), the USDA Beltsville Agricultural Research Center (BARC), the USSS James J. Rowley Training Center (JJRTC), the USDA NRCS National Plant Materials Center (NPMC), the USDA APHIS National Plant Germplasm and Biotechnology Laboratory (NPGBL), and the NASA Goddard Space Flight Center (GSFC), in cooperation with the USDA Forest Service, propose a gypsy moth (*Lymantria dispar*) suppression project on 4, 034 acres of Federal property located in portions of Prince George's and Anne Arundel Counties in Maryland. The proposed treatment would consist of a single application of the gypsy moth nucleopolyhedrosis virus product, Gypchek®, at 4×10^{11} occlusion bodies (OB's) /acre at an application rate of 1 gallon per acre. The purpose for the proposed action is to prevent gypsy moth defoliation in order to reduce the negative aesthetic, economic, and environmental impacts which conflict with site management objectives, while minimizing any adverse impacts of the treatments to the environment.

On January 16, 1996, officials from the USDA-FS and USDA Animal and Plant Health Inspection Service (APHIS) signed a Record of Decision (ROD) for the 1995 Final Environmental Impact Statement (FEIS) entitled, "Gypsy Moth Management in the United States: a cooperative approach". This FEIS and ROD documents support by these agencies for three gypsy moth management strategies—suppression, eradication, and slow the spread. The ROD applies to management activities conducted in cooperation with the USDA-FS or USDA-APHIS on state, private and Federal lands.

This Decision Notice and its associated Environmental Assessment (EA) documents the site-specific analysis conducted jointly by the PRR, BARC, JJRTC, NPMC, NPGBL, GSFC, and the USDA Forest Service for a cooperative gypsy moth suppression project in 2003 (40 CFR 1501.56). This EA is tiered (40 CFR 1502.20; 1508.28) to the FEIS and includes a site-specific discussion of: 1) the purpose and need for action; 2) public involvement and issues; 3) alternatives, including the proposed action; 4) affected environment; and, 5) environmental consequences.

The decisions to be made are:

1. Would the proposed action have significant impacts requiring further analysis in an Environmental Impact Statement (EIS)?

2. Should there be a treatment program, and if so, what treatment options should be used?

II. PUBLIC INVOLVEMENT AND ISSUES

A summary of the public involvement and notification processes used by the PPR, BARC, JJRTC, NPMC, NPGBL, and GSFC is described in the EA (pp. 5-6). There are no newly identified issues or concerns that were received as a result of public involvement. However, the following issues have been identified as a result of internal scoping efforts and guided the analysis in this EA and are addressed in Section 4.0 of the EA:

- Effects of defoliation on management objectives.

- Effects of insecticides on non-target organisms.

- Security issues related to public safety in regards to Homeland Security.

- Effects of aerial application on penned bird studies at PWRC.

- Human health risks associated with the aerial spraying of either *Bacillus thuringienis* (*Btk*) or Gypchek®.

III. ALTERNATIVES CONSIDERED

In developing alternatives, the USDA FS and the six Federal agencies considered treatment options which could meet project objectives and which were available under the 1995 FEIS (EA, Section 2.0).

The objective of the 2003 gypsy moth suppression project is to reduce gypsy moth populations below damaging thresholds with the least impact to non-target organisms. Five alternatives were considered. The use of diflubenzuron (DFB) was not considered in detail because there are other insecticides available that have a much narrower host range.

Five alternatives were considered in detail. These alternatives are:

Alternative 1 -- No Action. This alternative was not selected because of the potential impact of noticeable defoliation on project and management objectives at these facilities (EA, Section 1.2).

Alternative 2 -- One aerial application of *Btk* applied at the rate of 36 Billion International Units (BIUs) in a total mix of ¾ gallon per acre on approximately 4, 034 acres. This alternative would likely provide sufficient foliage protection and population reduction. This alternative was not selected because of its effect on non-target Lepidoptera.

Alternative 3 -- Two aerial applications of *Btk* would be applied at the rate of 36 BIUs in a total mix of ¾ gallon per acre, applied 4-7 days apart on approximately 4,034 acres. The second application would be an attempt to increase the effectiveness of the suppression project by exposing gypsy moth caterpillars that may have survived/escaped the first application. This alternative would likely provide increased foliage protection and population reduction than that of alternative 2. However, this alternative would be almost twice as expensive as alternative 2 and would have an increased effect on non-target Lepidoptera.

Alternative 4 -- Two aerial applications of the formulated nucleopolyhedrosis virus, Gypchek®, at the rate of 2×10^{11} occlusion bodies (OB's) in a total mix of 1 gallon per acre, applied 3-5 days apart on approximately 4,034 acres. This alternative would likely provide adequate foliage protection and prevent subsequent tree mortality, and would likely provide a sufficient reduction of gypsy moth populations in most of the treatment areas. The virus is specific to gypsy moth caterpillars and has not been shown to pose a hazard to non-target organisms, either terrestrial or aquatic (USDA 1995, Vol. II, pp 4-65).

Alternative 5 - One aerial application of the formulated nucleopolyhedrosis virus, Gypchek, at the rate of 4×10^{11} OB's in a total mix of 1 gallon per acre on approximately 4,034 acres. This alternative was selected since it achieves the same effect as Alternative 5, and significantly reduces the cost of the project.

IV. DECISION AND RATIONALE FOR DECISION

Based on the analysis documented in this EA, it is our decision to suppress damaging gypsy moth populations on 2, 782 acres at PRR, 986 acres at BARC, 92 acres at JJRTC, 72 acres at NPMC, 60 acres at NPGBL, and 42 acres at GSFC by selecting Alternative 5 as the preferred alternative. This would involve one application of Gypchek®. This alternative is compatible with the selected alternative identified in the FEIS and ROD; in that, this insecticide application is an optional component that will meet the objective identified in the EA (Section 1.2)

Special consideration was given to the known location of a bald eagle nest and the endangered species propagation units at PRR. A "no-fly-zone" will be established around the bald eagle nest and will have a minimum radius of ¼ mile (1320 feet). Around the endangered species propagation units a minimum 1/2 mile (2, 640 feet) radius "no fly zone" will be established.

Our decision is based upon the fact that this project complies with the Forest Pest Management Control Project Standards as described in the USDA-FS Manual (FSM 3440) and the Cooperative Control Project Participation Criteria as described in Chapter 10 of the USDA-FS Handbook (FSH 3409.11). In addition, this project conforms with the USDA goal to reduce the adverse effects of the gypsy moth on the nation's forest and trees through cooperation in gypsy moth treatment (ROD). The environmental analysis was conducted in accordance with FSH 1909.15, the Environmental Policy and Procedures Handbook. And finally, the project is in conformance with the Cooperative Forestry Assistance Act (1978), the National Environmental Policy Act (1969, as amended 1982), and the Federal Insecticide, Fungicide, and Rodenticide Act (1984).

V. FINDING OF NO SIGNIFICANT IMPACT

Following review of the FEIS and careful consideration of the issues, concerns, and opportunities identified from public and internal input, and based on the site-specific environmental analysis documented in the 2003 EA, we have determined that implementing this decision in the manner described will not cause significant environmental impacts, or adverse effects. Therefore, a revised or amended environmental impact statement is not needed. This determination was made after considering the following specific factors:

There are no significant effects after considering context and intensity of the project (40 CFR 1508.27). Context and duration of the action are limited. The application of Gypchek® will be conducted on a maximum of 4, 034 forested acres in Maryland. The site-specific EA evaluates the environmental consequences (effects) in that particular context.

The intensity of any effects is minimal for the following reasons:

1. Impacts of the aerial application of Gypchek® are limited to the proposed treatment areas.

2. There is no indication that the general public will experience any adverse health or safety effects from Gypchek® (FEIS, Vol. II. p.4-22 to 4-25).

3. Gypchek® will not have a significant negative impact on ecologically critical areas (FEIS, Vol. IV. p. 5-3 to 5-4).

4. Gypchek® treatments are not highly controversial and will help maintain the quality of the environment, as it existed prior to gypsy moth infestations. Gypchek® is registered for suppression of gypsy moth and will be applied according to label requirements. This meets the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (7USC 136) as amended.

5. There are no known unique or unknown risks associated with this project.

6. The decision to proceed is based upon results of a site-specific environmental assessment conducted in accordance with NEPA. Decision regarding future actions will be made in a similar manner.

7. The FEIS analyzed and demonstrated that neither cumulative environmental nor human health risks are associated with the use of Gypchek®.

8. The action will not affect any item listed, or eligible for listing, on the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.

9. As required under section 7 of the Endangered Species Act of 1973, as amended, U. S. Fish and Wildlife Service was consulted (EA, Appendix B). Implementation of recommendations established by the U.S. Fish and Wildlife Service for the 2003 gypsy moth suppression project will be followed. In addition, any bald eagle nests located in the vicinity of the treatment areas will have a "no fly zone" with a minimum ¼ mile (1,320 feet) radius established around them. Around the endangered species propagation units at PPR a minimum 1/2 mile (2, 640 feet) radius "no fly zone" will be established.

10. The proposed action complies and is consistent with all Federal, state, and local laws or requirements imposed for protection of the environment. The action is cooperative project that has been planned by PRR, BARC, JJRTC, NPMC, NPGBL, GSFC, and USDA FS.

Copies of this Decision Notice and EA are available at the following offices:

Holliday Obrecht III
Patuxent Research Refuge
US Fish and Wildlife Service
12100 Beech Forest Road
Laurel, MD 20708-4036

Kevin Thorpe
Beltsville Agricultural Research Center
Rm. 214, Bldg. 011A, BARC-West
10300 Baltimore Ave.
Beltsville, MD 20705

Charles Homfeld
James J. Rowley Training Center
9200 Powder Mill Road
Laurel, MD 20708

John Englert, Manager
National Plant Materials Center
BARC – EAST, Building 509
Beaver Dam Road
Beltville, MD 20705

Wayne Claus
National Plant Germplasm and Biotechnology Lab.
APHIS-PPQ-NPGBL
BARC-EAST
BLDG 580
Beltsville, MD 20705

Darlene Squibb
NASA Goddard Space Flight Center
Code 205.2,
Safety and Environmental Branch
Greenbelt, MD 20771

Brad Onken
Forest Health Protection
USDA Forest Service
180 Canfield Street
Morgantown, WV 26505

The environmental assessment and the FEIS it is tiered to, were performed in compliance with Executive Order 12898 (addressing Environmental Justice). This project may be implemented as soon as biologically necessary at each Federal site after each respective responsible official has signed this document.

For each agency the following officials have the responsibility as it relates to the lands over which he/she has jurisdiction. The responsible officials are:

APPROVED BY:

_____ _____

Brad Knudsen, Refuge Manager
US Fish & Wildlife Service
Patuxent Research Refuge
10901 Scarlet Tanager Loop
Laurel, MD 20708-4027

Date

APPROVED BY:

_____ _____

Dr. Phyllis Johnson, Area Director
Beltsville Agricultural Research Center
Rm 223, Bldg 003, BARC-West
10300 Baltimore Avenue
Beltsville, MD 20705

Date

APRROVED BY:

_____ _____

A. T. Smith, Special Agent in Charge
James J. Rowley Training Center
9200 Powder Mill Road
Laurel, MD 20708

Date

APPROVED BY:

_____ _____

Mr. David Doss
USDA NRCS
John Hanson Business Center
339 Busch's Frontage Rd., Suite 301
Annapolis, MD 21401-5534

Date

APPROVED BY:

_____ _____

Wayne P. Claus, Facility Manager
USDA APHIS PPQ CPHST
National Plant Germplasm & Biotechnology Laboratory
Bldg. 580, BARC-East
Beltsville, MD 20705

Date

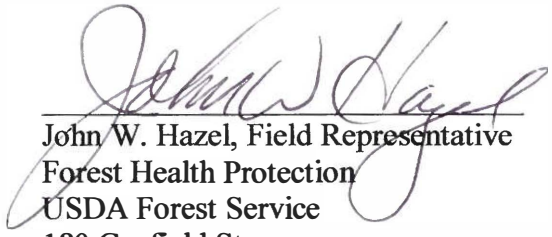
APRROVED BY:

_____ _____

A. V. Diaz
Director
NASA's Goddard Space Flight Center
Greenbelt, Maryland 20771

Date

APPROVED BY:



04/11/83

John W. Hazel, Field Representative
Forest Health Protection
USDA Forest Service
180 Canfield St.
Morgantown, WV. 26505-3101

Date